

Karas, J
ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HYUNDAI MOTOR FINANCE COMPANY,

Civil Action No. _____

Plaintiff,

- against -

FALCON MOTORS, INC., SAEID TEHRANI,
ARIEL TEHRANI, EDMOND GEULA AND
EXECUTIVE MOTORS, LTD.,

Defendants.

08 Civ. 1202

JUDGE KARAS

ORDER TO SHOW CAUSE AND TEMPORARY RESTRAINING ORDER

UPON reading the Complaint of Plaintiff, Hyundai Motor Finance Company ("Plaintiff"), dated February 7, 2008, together with the exhibits annexed thereto, the Affidavit of Sam Frobe, sworn to the 6th day of February, 2008, the Memorandum of Law dated February 7, 2008, all submitted in support of an Order to Show Cause why an Order should not be issued, pursuant to Fed. R. Civ. P. 64 and 65 and CPLR §1702 *et seq* directing the U.S. Marshall for the Southern District of New York or Sheriff of Westchester County, New York or other county where the property may be found to seize certain property as hereinafter described, and further seeking a Temporary Restraining Order restraining the Defendants, Falcon Motors, Inc., Saeid Tehrani, Ariel Tehrani, Edmond Geula and Executive Motors, Ltd. (collectively hereinafter "Defendants"), and all persons acting in concert with them, from dismantling, removing, concealing, using, hiding, selling, disposing of, transferring, encumbering, commingling or permitting to become subject to a security interest or lien or otherwise acting in any manner

inconsistent with the Plaintiff's interest in such property, and due deliberation having been had hereon, and good and sufficient cause having been shown,

NOW, on Plaintiff's Complaint and upon the Affidavit of Sam Frobe, sworn to the 6th day of February, 2008, and the accompanying pleadings;

✓ IT IS on this 7th day of February, 2008.

ORDERED, that the Defendants appear before this Court at a hearing to be held in
✓ Courtroom 533, White Plains, on the 19th day of February, 2008, at 10 a.m. or as soon thereafter as counsel may be heard, to show cause why an Order should not be made and entered in this action, authorizing the issuance of a Temporary Restraining Order restraining the Defendants, and their respective servants, agents, employees, representatives, spouses and all persons acting in concert with them from removing, transferring, dismantling, selling, pledging, encumbering, commingling, using, concealing, hiding or otherwise disposing of, or permitting to become subject to a security interest or lien, the Collateral described in Schedule A in any manner inconsistent with the interests of Plaintiff therein; and it is further

ORDERED, pursuant Fed. R. Civ. P. 65(b), that pending the hearing of this motion the Defendants and their respective servants, agents, employees, representatives, spouse and all persons acting in concert with them be, and the same hereby are, restrained and enjoined from removing, transferring, dismantling, selling, pledging, encumbering, commingling, using, concealing, hiding or otherwise disposing of, or permitting to become subject to a security interest or lien, the Collateral, including all deposit accounts, described above in any manner inconsistent with HMFC's interests therein; and it is further

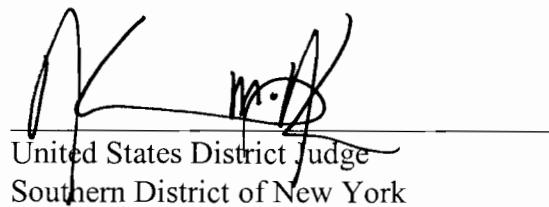
ORDERED, that a copy of this Order to Show Cause, together with the copies of the

above-referenced papers upon which it is made, shall be personally served (or attempted to be personally served) (a) upon the corporate Defendant, Falcon Motors, Inc., by serving its President, Saeid Tehrani or if he cannot be found, by serving any person apparently in charge of the dealership business premises; and (b) upon the individual Defendants at their respective residences or wherever they may be found, on or before the 8th day of February, 2008, at the hour of 3 pm. and that such service shall be deemed good and sufficient notice of this Order.

SO ORDERED:

✓ Dated: February 7, 2008

3:30 pm



United States District Judge
Southern District of New York

ORDERED that security in the \$ 2,634,404.00 shall be posted by bond from Plaintiff on or before February 8, 2008

ORDERED that Defendants are to respond by no later than ~~10~~ 4 pm on February 13, 2008, with a courtesy copy submitted to Chambers, and it is ordered

ORDERED that Plaintiff's reply is due by 3 pm on February 15, with a courtesy copy to chambers.

SCHEDULE A

- A. All inventory of new and used motor vehicles and other personal property held for sale or lease including, but not limited to display or demonstration items, returns and repossessions, and all accessories and additions thereto;
- B. All accounts or rights to payment of money including but limited to, accounts receivable from any manufacturer, distributor, and any dealer participation or other account maintained by Secured Party(ies) in the name of the Debtor(s);
- C. All chattel paper, contract rights and general intangibles;
- D. All office furniture, shop equipment, computer equipment and records, tools, lease improvements and fixtures, and other personal property; and
- E. All cash and non-cash proceeds of all the foregoing including, but not limited to, insurance proceeds, chattel paper, accounts or assignments of accounts.